

Used Oil Recycling Block Grant Resolution Details and Samples

Fiscal Year 2004/2005 (10th Cycle)

Background

The California Oil Recycling Enhancement Act (Act) (Statutes of 1991, Chapter 817) mandates the California Integrated Waste Management Board (CIWMB) to provide annual Used Oil Recycling Block Grants (Block Grants) to local governments for establishing local collection programs that encourage recycling of used oil. Because Block Grants are not competitive, local governments need only to submit a timely, completed application package, and meet the program's eligibility requirements to receive a grant.

Grant Term

The term of the grant is July 1, 2004 through June 30, 2007, pending receipt of a Notice to Proceed.

Regional Programs

Cities or counties may join together in a regional program. A regional lead jurisdiction must be designated to act on behalf of all participating jurisdictions (see below for information regarding authorization documentation). The lead jurisdiction will be the Grantee, and will be responsible for the performance of the grant and all required documentation. The CIWMB will direct all official correspondence and grant payments to the lead jurisdiction. If a jurisdiction is a participant in a regional program, it may not apply individually.

Regional Lead: The approved resolution must authorize the jurisdiction to act as a lead for a regional program and include authorization letters from participating jurisdictions authorizing the applicant to act on their behalf for this cycle.

Regional Participant: Provides a letter of authorization authorizing the lead jurisdiction to act on their behalf for this cycle.

Jurisdictions participating in a Joint Powers Authority (JPA) may designate the JPA as their regional lead jurisdiction if the JPA agreement involves or includes solid and/or hazardous waste management (see below for information regarding authorization documentation).

For a regional program administered by a JPA, the CIWMB staff will determine grant eligibility and award amounts based on the total population and territory of only the participating jurisdictions.

Co-Operative Projects

A Co-Operative project is established when a jurisdiction who applies for an individual grant wishes to give some of its block grant funding to a lead jurisdiction for the purpose of funding a mutually beneficial project, such as a regional advertising campaign. Here are guidelines for this option:

- Participating Co-Operative jurisdictions may designate a percentage or flat amount, up to fifty percent (50%) maximum, of their Block Grant to one lead jurisdiction.

- The CIWMB will encumber funds directly to the Co-Operative's lead jurisdiction coordinating the project.
- The resolution or authorizing letter from the participating Co-Operative jurisdiction must give express authorization to participate in a specific Co-Operative project.
- The resolution for the Co-Operative lead jurisdiction must give express authorization to be the lead jurisdiction for a specific Co-Operative project.

The responsibilities for the Co-Operative lead jurisdiction are the same as for a regional program.

Co-Operative Lead: The approved resolution must authorize the jurisdiction to act as a lead for a Co-Operative project and include authorization letters or approved resolutions from participating jurisdictions authorizing the applicant to act on their behalf for this cycle.

Co-Operative Participant: Provides an approved resolution for their own grant project. In addition, the Co-Operative participant either includes language in their resolution authorizing the lead jurisdiction to act as a lead on their behalf or provides a letter of authorization authorizing the lead jurisdiction to act on their behalf for this cycle.

Approved Resolution

An approved resolution(s) must be included with the application. The resolution(s) may be:

A) a dated blanket resolution with an indicated time period for the submittal of all CIWMB grants, all Used Oil and Household Hazardous Waste Grants, or all Used Oil Block Grants only and which must include June 30, 2004, but may not be for more than 5 years:

- Examples of variable 5-year ranges: FY 2000/2001 through FY 2004/2005; FY 2001/2002 through FY 2005/2006; FY 2002/2003 through 2006/2007; FY 2003/2004 through 2007/2008; or FY 2004/2005 through FY 2008/2009.

Or;

B) only for this Used Oil Block Grant (10th cycle) FY 2004/2005

A previously submitted resolution will only be acceptable if it is valid for Used Oil Grant applications through at least June 30, 2004, and if a copy is submitted with this application.

There are three resolution options depending upon the type of application you submit:

1. Individual Applicant – For a city or county applying alone.
2. Regional Applicant – For a city or county applying as a lead jurisdiction for at least one other jurisdiction. Joint Powers Authorities are considered regional applicants if given authority by participating jurisdictions.
3. Co-Operative Project Applicant – For lead agencies of a Co-Operative project.

(Sample resolutions are available on the CIWMB's website at www.ciwmb.ca.gov/usedoil/grants/block). **These samples are provided for guidance purposes only. Consult your attorney.**

RESOLUTIONS – Directions and Samples

1. INDIVIDUAL APPLICANTS (City or County)

An individual applicant may provide one of the following:

An approved resolution from the applicant's governing body authorizing submittal of an application for the Used Oil Recycling Block Grant (10th Cycle) FY 2004/2005 and identifying the **job title** of the individual authorized to execute all grant documents (e.g., Grant Agreement and Request for Payments); OR

An approved resolution authorizing for, up to five (5) years, the submittal of grant applications to the CIWMB for all available CIWMB grants, all Used Oil grants and Household Hazardous Waste (HHW) grants under the California Integrated Waste Management Act, or oil grants under the California Oil Recycling Enhancement Act and identifying the **job title** of the individual authorized to execute all grant documents (e.g., Grant Agreements and Requests for Payments). The five-year authorization must extend to at least June 30, 2004. *Note: the benefit of a multiple year/grant resolution is that it can be used for future applications such as later Block Grants, Opportunity Grants, HHW Grants, etc.*

SAMPLE RESOLUTION: Individual Applicants/Jurisdiction (City or County)

WHEREAS, the people of the State of California have enacted the California Oil Recycling Enhancement Act that provides for a Used Oil Recycling Block Grant (Grant) to eligible cities and counties for establishing and maintaining local used oil collection programs that encourage recycling or appropriate disposal of used oil; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for administering the Grant, which includes procedures governing the application by and payment to eligible cities and counties; and

WHEREAS, if awarded, the applicant will enter into a Grant Agreement with the California Integrated Waste Management Board for implementation of a used oil collection program;

NOW, THEREFORE, BE IT RESOLVED that the (Title of Governing Body) authorizes the submittal of an application to the California Integrated Waste Management Board for the Used Oil Recycling Block Grant, Fiscal Year 2004/2005;

BE IT FURTHER RESOLVED that the (Job Title of Official) , or a designee, is hereby authorized and empowered to execute in the name of

(Name of Jurisdiction) all grant documents necessary to secure grant funds and implement the approved grant project.

SAMPLE RESOLUTION FOR BOTH USED OIL AND HHW GRANTS
Individual Applicants/Jurisdiction (City or County)
Multi-grant, Multi-year resolution

WHEREAS, the people of the State of California have enacted the California Oil Recycling Enhancement Act that provide for a Used Oil Recycling Block Grant (UOBG) to eligible cities and counties for establishing and maintaining local used oil collection programs that encourage recycling or appropriate disposal of used oil; and

WHEREAS, the people of the State of California have enacted Assembly Bill 1220 (Eastin,1993) that provides Household Hazardous Waste Grants (HHW Grants) to local governments to establish and implement waste diversion and separation programs to prevent disposal of hazardous waste, including household hazardous waste, in solid waste landfills; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for administering the UOBG and HHW Grant, which includes procedures governing the application by and payment to eligible cities and counties; and

WHEREAS, if awarded, the applicant will enter into a Grant Agreement with the California Integrated Waste Management Board for implementation of said grants;

NOW, THEREFORE, BE IT RESOLVED that the _____ **(Title of Governing Body)** authorizes the submittal of grant applications to the California Integrated Waste Management Board for all available grants under the California Oil Recycling Enhancement Act and all available Household Hazardous Waste grants for the period of _____ **(Indicate Time Period – it must include June 30, 2004 but may not be for more than 5 years).**

BE IT FURTHER RESOLVED that the _____ **(Job Title of Official)**, or his/her designee, is hereby authorized and empowered to execute in the name of the (Name of Jurisdiction) all grant documents necessary to secure grant funds and implement the approved grant project.

2.

**REGIONAL APPLICANTS
Including Joint Powers Authorities**

Regional Programs: one lead jurisdiction and at least one participating jurisdiction

In addition to the resolution for the lead applicant, applications must also include ONE of the following authorization documents from each participating jurisdiction. (The inclusion of the participants' names in the lead applicant's resolution does not take the place of the authorization document.)

A resolution from each participating jurisdiction authorizing the lead jurisdiction to act on its behalf as both Applicant and Grant Administrator (entity that is responsible for and implements the grant program); OR

An authorization letter from the agency representative with decision-making program authority from each participating jurisdiction stating that the jurisdiction wants to participate in the regional program and authorizing the lead jurisdiction to act on its behalf as both Applicant and Grant Administrator (entity that is responsible for and implements the grant program); OR

A copy of a Memorandum of Understanding specifically for this grant from each participating jurisdiction authorizing the lead jurisdiction to act on behalf of the participating jurisdiction both as Applicant and Grant Administrator (entity that is responsible for and implements the grant program).

SAMPLE RESOLUTION – Lead Applicant of a Regional Program

WHEREAS, the people of the State of California have enacted the California Oil Recycling Enhancement Act that provides for a Used Oil Recycling Block Grant (Grant) to eligible cities and counties for establishing and maintaining local used oil collection programs that encourage recycling or appropriate disposal of used oil; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for administering the Grant, which includes procedures governing the application by and payment to eligible cities and counties;

WHEREAS, the _(Name of Jurisdiction)_ desires to join with the following designated jurisdictions in the implementation of a regional used oil collection program; and

WHEREAS, if awarded, the applicant will enter into a Grant Agreement with the California Integrated Waste Management Board for implementation of said grants;

NOW, THEREFORE, BE IT RESOLVED that the (Title of Governing Body) authorizes (Name of Jurisdiction) to be the applicant and lead jurisdiction for Used Oil Recycling Block Grant, Fiscal Year 2004/2005 on behalf of itself and the following participants: (List Participating Cities or Counties);
BE IT FURTHER RESOLVED that the (Job Title of Official), or his/her designee, is hereby authorized and empowered to execute in the name of (Name of Jurisdiction) and on behalf of the above named participating jurisdictions, all grant documents necessary to secure grant funds and implement the approved grant project.

If the lead applicant does not want to list participants' names in the resolution, the resolution could read:

NOW, THEREFORE, BE IT RESOLVED that the (Title of Governing Body) authorizes (Name of Jurisdiction) to be applicant and lead jurisdiction for Used Oil Recycling Block Grant, Fiscal Year 2004/2005 on behalf of itself and the participating jurisdictions (as shown by the attached authorizing letters).

SAMPLE RESOLUTION – Participant in a Regional Program

WHEREAS, the people of the State of California have enacted the California Oil Recycling Enhancement Act that provides for a Used Oil Recycling Block Grant (Grant) to eligible cities and counties for establishing and maintaining local used oil collection programs that encourage recycling or appropriate disposal of used oil; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for administering the Grant, which includes Grant procedures governing the application by and payment to eligible cities and counties under the program; and

WHEREAS, (Name of Lead Jurisdiction) has agreed to act as lead jurisdiction on behalf of (Name of Participating Jurisdiction);

NOW, THEREFORE, BE IT RESOLVED that the (Name of Participating Jurisdiction) authorizes the (Name of Lead Jurisdiction) to submit to the California Integrated Waste Management Board a regional application for the Used Oil Recycling Block Grant, Fiscal Year 2004/2005 on its behalf;

BE IT FURTHER RESOLVED that the (**Name of Lead Jurisdiction**) is hereby authorized and empowered to execute all grant documents necessary to secure grant funds and implement the approved grant program.

[Note: Cities may submit an authorization letter in lieu of a resolution – see following page for sample authorization letters.]

AUTHORIZATION LETTER INFORMATION

There are two authorization letter options for regional and JPA participants. The jurisdiction may use either letter. The letter must be signed by the jurisdiction's agency representative with decision-making program authority. The options are:

- **Specific Authorization Letter:** Gives authorization to a lead jurisdiction for the Used Oil Block Grant FY 2004-2005 (10th) cycle; *OR*
- **Blanket Authorization Letter:** Gives authorization to a lead jurisdiction for all Used Oil and HHW grants for one State of California fiscal year (a twelve month period beginning with the month of July through the month of June). The Blanket Authorization Letter must be submitted to the lead jurisdiction. In turn, the lead jurisdiction will keep it on file and will submit a copy with **each** application for that particular State of California fiscal year. For example, if your jurisdiction is a member of a JPA and plans on participating in three types of grants (Used Oil Block Grants, Used Oil Opportunity Grants, and Household Hazardous Waste Grants) with the JPA, then you only need to send in a single Blanket Authorization letter to the JPA rather than three separate letters. The JPA lead will submit a copy of the letter with each of the grant applications to the CIWMB for that particular State of California fiscal year.

NOTE ON CHANGES TO AUTHORIZATION REQUIREMENTS FOR JPA'S

In the past, a copy of the JPA agreement was sufficient to identify the participants in the grant application. However, a JPA agreement may include members who do not want to participate in a given grant application. Therefore, authorization letters or resolutions from participating jurisdictions are required in place of the JPA agreement. You do not need to submit a copy of the JPA agreement.

SAMPLE AUTHORIZATION LETTER FOR ALL CIWMB GRANTS

Dear CIWMB:

The (**Name of participating jurisdiction**) authorizes (**Name of Lead Jurisdiction**) to submit to the California Integrated Waste Management Board (CIWMB) a regional application for all available CIWMB grants on its behalf for State of California 2004/2005 Fiscal Year, which terminates June 30, 2005. The (**Name of Lead Jurisdiction**) is hereby authorized and empowered to execute all

grant documents necessary to secure grant funds and implement the approved grant program.

Sincerely,

Agency Representative with Decision-Making Program Authority

SAMPLE AUTHORIZATION LETTER FOR USED OIL GRANTS

Dear CIWMB:

The **(Name of participating jurisdiction)** authorizes **(Name of Lead Jurisdiction)** to submit to the California Integrated Waste Management Board a regional application for the Used Oil Recycling Block Grant, Fiscal Year 2004/2005 on its behalf. The **(Name of Lead Jurisdiction)** is hereby authorized and empowered to execute all grant documents necessary to secure grant funds and implement the approved grant program.

Sincerely,

Agency Representative with Decision-Making Program Authority

SAMPLE AUTHORIZATION LETTER FOR BOTH USED OIL AND HHW GRANTS

Dear CIWMB:

The **(Name of participating jurisdiction)** authorizes **(Name of Lead Jurisdiction)** to submit to the California Integrated Waste Management Board a regional application for all available grants under the California Oil Recycling Enhancement Act and all available HHW grants under the California Integrated Waste Management Act on its behalf for State of California 2004/2005 Fiscal Year, which terminates June 30, 2005. The **(Name of Lead Jurisdiction)** is hereby authorized and empowered to execute all grant documents necessary to secure grant funds and implement the approved grant program.

Sincerely,

Agency Representative with Decision-Making Program Authority

3. CO-OPERATIVE PROJECT APPLICANTS

Co-Operative project applicants differ from regional applicants because in a Co-Operative project program, a participating jurisdiction maintains its own separate grant. Only a portion (up to 50%) of the participant's grant is authorized to the lead jurisdiction.

Requirements for the lead and participating jurisdictions are described below.

CO-OPERATIVE PROJECT LEAD JURISDICTION: Provide an approved resolution that shows: 1) information required for an individual application; 2) your jurisdiction is authorized and empowered to be the lead jurisdiction for a Co-Operative program on behalf of specifically named jurisdictions; and, 3) the job title of the individual authorized to execute all grant documents necessary to secure grant funds and implement the approved grant program.

On your application, list all cooperative project participants and their contributing fund amounts.

CO-OPERATIVE PROJECT PARTICIPANT: Provide an approved resolution or authorization letter that designates a specifically named jurisdiction as the lead jurisdiction for a Co-Operative project, and further authorizes for the Co-Operative project a stated percentage (up to 50%) or flat amount of the total Used Oil Recycling Block Grant funds for which your jurisdiction is eligible.

SAMPLE RESOLUTIONS for Co-Operative Projects

The following is supplemental language for a Lead Applicant for a grant with a Co-Operative program:

BE IT FURTHER RESOLVED THAT the (**Title of Governing Body**) also authorizes (**Name of Jurisdiction**) to act as lead jurisdiction for a Co-Operative project with (**list all participating jurisdictions**). The (**Job Title of Official**), or his/her designee, is hereby authorized and empowered to execute in the name of (**Name of Jurisdiction**) and all participating jurisdictions all grant documents necessary to secure grant funds and implement the approved grant program.

The following is supplemental language for a Participant in a Co-Operative program

BE IT FURTHER RESOLVED THAT the (Title of Governing Body) authorizes the participation in a Co-Operative project(s) with (Name of Lead Jurisdiction) acting in the lead capacity, and further authorizes XX% of the Used Oil Recycling Block Grant(s) funds for which (Name of Jurisdiction) is eligible, be appropriated to (Name of Lead Jurisdiction) to implement said Co-Operative project(s).

BE IT FURTHER RESOLVED THAT the (Name of Lead Jurisdiction) is hereby authorized and empowered to execute all grant documents necessary to secure grant funds and implement the approved Co-Operative grant program.